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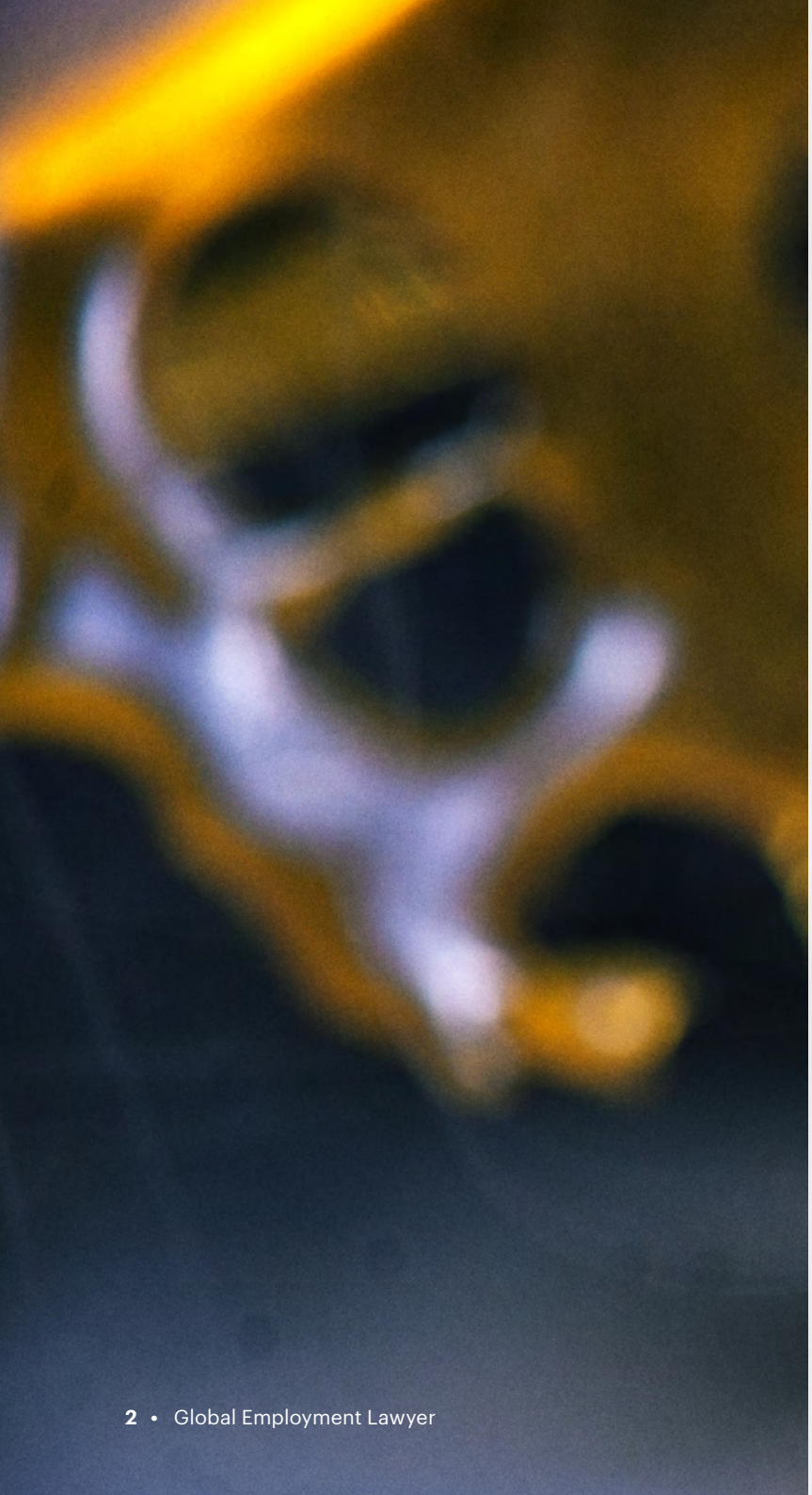

Welcome to the latest edition of our quarterly global employment and labour newsletter. As we continue into the year, we are witnessing significant regulatory shifts, technological advancements, and evolving market dynamics that continue to shape our industry and workplaces dynamics across the globe.

In this issue, we explore the impact of recent legislative and other changes across key jurisdictions, including updates on diversity, equity and inclusion in the US, parental leave reforms in South Korea, labour law reforms in Saudi Arabia, and digital platform worker protections in Mexico, as well as insights into the use of AI in employment decisions in Australia. Our experts also provide analysis on new job posting requirements in Canada, trial period restrictions in New Zealand, and employment classification rulings in the Netherlands.

We are also excited to share the launch of our **Global Pay Transparency and Equity Guide**. This new guide allows clients to compare regulations across 50+ jurisdictions, helping prepare for current and upcoming transparency obligations as well as providing an overview of pay equity laws. Backed by our global team of employment and labour law experts, our guide includes an interactive heatmap and a comprehensive overview of the evolving legal landscape, ensuring you stay informed and ahead of regulatory requirements.

We hope these perspectives equip you with valuable knowledge to navigate this complex environment effectively. Thank you for your continued engagement, and we look forward to another quarter of growth and collaboration.

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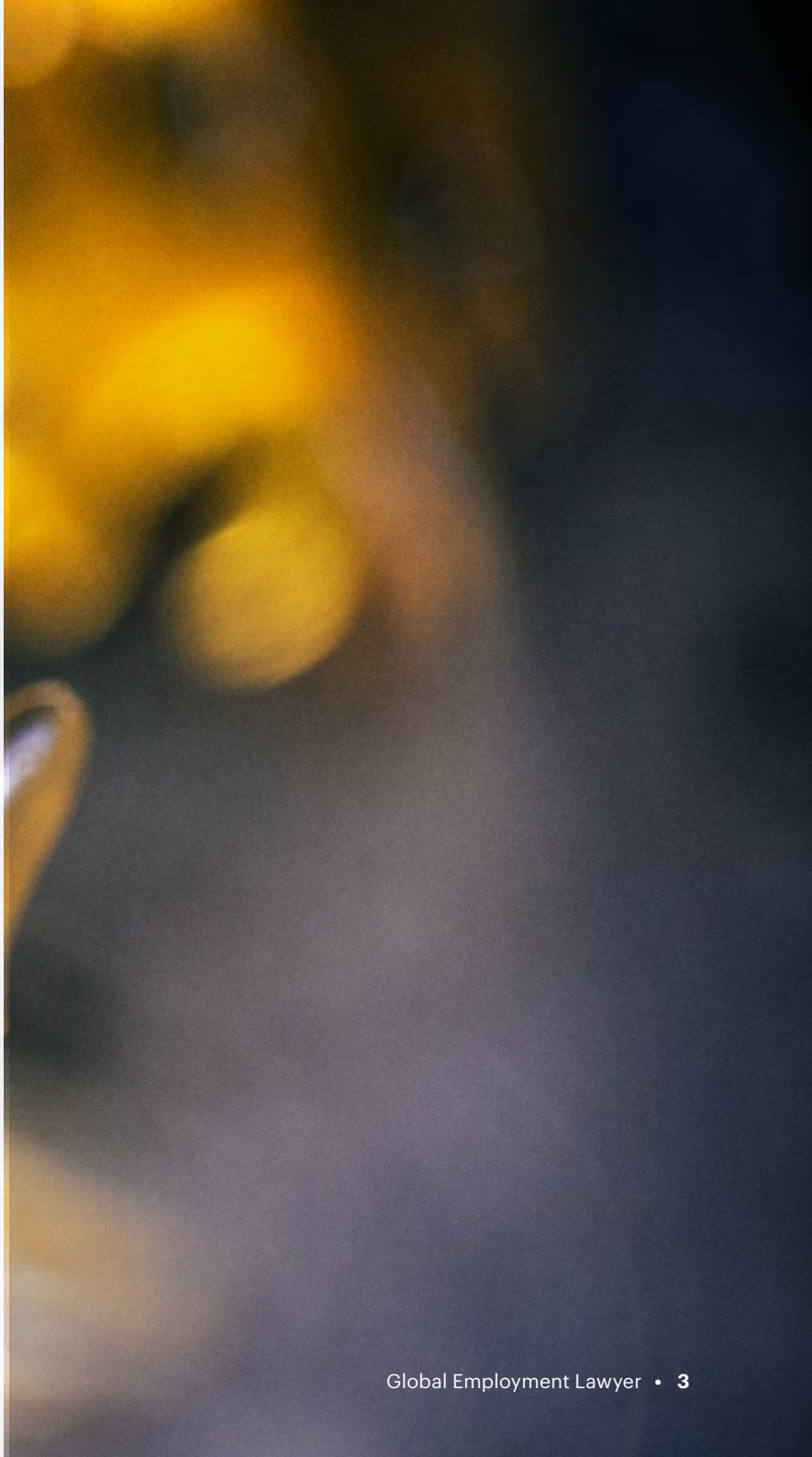

Africa

Angola

New legal regime for non-occupational illnesses or accidents – A new presidential decree was recently published, establishing the legal regime for absolute disability protection within the scope of compulsory social protection. This publication had been eagerly awaited since 2004.

The decree aims to compensate for the total loss of income resulting from absolute invalidity, defined as a total and permanent inability to carry out any type of professional activity.

To be entitled to the absolute invalidity pension, the insured person must be registered for compulsory social protection, have completed a guarantee period of 60 months of contributions and have the incapacity duly certified.

The amount of the pension corresponds to 60% of the average remuneration of the last 24 months prior to incapacity, with minimum and maximum limits established, and the pension must be maintained through annual proof of life and periodic reviews of incapacity.

With this new legislation, the Angolan government reaffirms its commitment to social protection and the wellbeing of citizens, especially those who face significant challenges due to disability. It is hoped that the law will bring greater security and dignity to beneficiaries, promoting more effective social inclusion and representing an important step in the modernisation of the Angolan social protection system.

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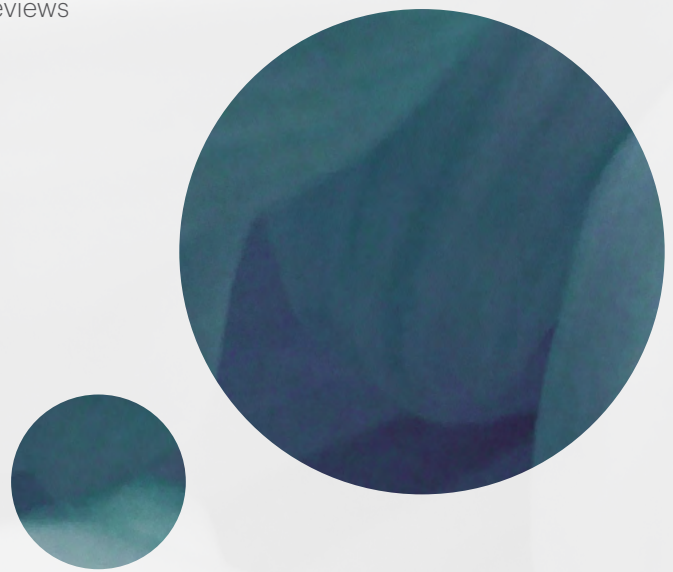

South Africa

Amendments to labour legislation proposed – The National Economic Development and Labour Council has published a report which has been submitted to the Minister of Employment and Labour proposing amendments to the Labour Relations Act, 1995, the Basic Conditions of Employment Act, 1997, the National Minimum Wage Act, 2018 and the Employment Equity Act, 1998.

Notable proposed amendments include:

- an increase in statutory severance pay whereby employees that are retrenched will be entitled to receive two weeks' remuneration per completed year of service;
- a new section to be included in the Basic Conditions of Employment Act that regulates the relationship between employers and seasonal workers; and
- amendments to large-scale retrenchment processes, curtailment of the definition of unfair labour practice and a clarification of the test for procedural fairness in the case of dismissals.

The draft amendments are not law and will have to go through the Parliamentary process, including being opened up for public comment and being tabled before Parliament, and as a final step before the President.

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Asia

China

Holiday overtime set at 400% pay – On 1 January 2025, the General Office of the Ministry of Human Resources and Social Security of China issued the "Notice on Implementing the Decision of the State Council to Amend the Measures for National Annual Holidays and Memorial Days" (the **Notice**), which took effect immediately upon its release. In accordance with the Notice, when employees work on statutory holidays, they are entitled to receive an additional 300% of their daily or hourly wage as overtime pay.

Prior to this Notice, there were two prevailing interpretations regarding holiday overtime pay: one supporting a total payment of 300% (100% regular wage plus 200% additional payment) and another advocating for 400% (100% regular wage plus 300% additional payment). While local regulations in Zhejiang and Jilin provinces had already addressed this issue by requiring the total payment of 400%, in previous judicial practice the approach of employers paying a total of 300% (including both the regular wage and the holiday wage) has also been supported in those regions that do not adopt such interpretation, as the literal interpretation of the Labour Law stipulates that employers must pay no less than 300% of the employee's standard wage for work performed on statutory holidays.

The Notice explicitly states that employees working on statutory holidays are entitled to receive an additional 300% overtime pay, resulting in total compensation of 400% of their regular wage. The Ministry's reiteration in the Notice aims to address non-compliance issues in practice, strengthen enforcement measures and ensure consistent application of overtime compensation standards across all jurisdictions in China, thereby better protecting workers' legitimate rights and interests.

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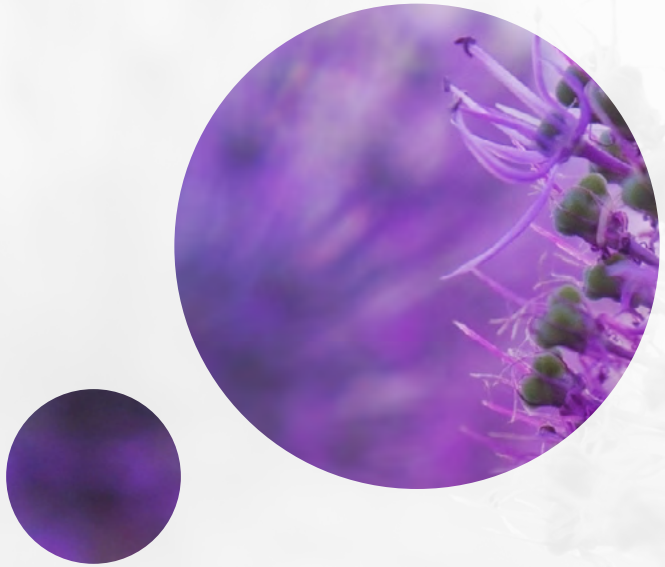

Hong Kong

District Court increases discrimination compensation – In Hong Kong, discrimination and harassment claims are heard before the District Court, and it is quite common for the court to award damages for injury to feelings in such claims. In a recent judgment, the court updated its guidelines for assessing these damages.

In this case, the Claimant had been diagnosed with hyperthyroidism shortly before the end of her probation period and was subsequently dismissed, which prompted her to bring disability discrimination proceedings against her employer in reliance on the Disability Discrimination Ordinance. As the employer did not respond to the claim, the District Court entered default judgment against it. In assessing damages, the court:

- reaffirmed the three broad bands for assessing damages for injury to feelings (from the English case of *Vento v. Chief Constable of West Yorkshire Police*);
- increased these bands to reflect Hong Kong's inflation since 2002:
  - Lower Band: from HK$9,500 to HK$95,000;
  - Middle Band: from HK$95,000 to HK$285,000;
  - Top Band: from HK$285,000 to HK$475,000;
- assessed the employee's damages at HK$95,000 – on the borderline between the Lower Band and the Middle Band – taking into account the one-off nature of the discriminatory act, its emotional impact on the employee and the employer's lack of an apology;
- awarded the employee three months' lost earnings in the sum of HK$48,000; and
- ordered costs against the employer, holding that its refusal to defend the claim prolonged proceedings in a frivolous manner.

This judgment underscores the potential for significantly higher financial exposure in discrimination and harassment claims, as it is apparent that the court will adjust the *Vento* bands in line with the Hong Kong economy. There is therefore ever more reason for employers to ensure full compliance with Hong Kong's discrimination laws and implement robust policies against discrimination in the workplace.

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India

Employees' Provident Fund Organisation (EPFO) simplifies transfer of the provident fund (PF) – The EPFO has introduced significant improvements to the process of transferring PF accounts for employees covered by the EPFO, due to change in employment in certain cases (**Covered Employees**) thereby leading to a notable reduction in turnaround time by the EPFO in processing such cases and minimising grievances and rejections of Covered Employees. Previously, PF transfer applications had to be routed through the employee's current or previous employer, but this requirement has been relaxed for Covered Employees with effect from 15 January 2025. As a result, Covered Employees can now directly submit transfer claims with the EPFO without necessitating employer intervention.

Contributions to the Labour Welfare Fund (LWF) increased in the State of Karnataka – Pursuant to a notification dated 10 January 2025, the Government of Karnataka has revised the rates of contributions for, among others, both employers and employees covered under LWF legislation in Karnataka. The revised rates of contributions (for both the employee and employer) are required to be deposited by the employer with the concerned authority before 15 January of the following year.

New Delhi stresses sexual harassment compliance – On 6 January 2025, the Government of New Delhi issued an order emphasising compliance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013. The order reiterated the mandatory formation of Internal Complaints Committees in all establishments with 10 or more employees to ensure easy access to a redressal mechanism for women in the workplace. Establishments were also urged to register on the online platform set up by authorities for filing complaints related to sexual harassment of women.

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Malaysia

Minimum wage increase – Effective 1 February 2025, the government has increased minimum wage rates as follows:

	Minimum wage effective 1 February 2025	Previous applicable minimum wage
Monthly wage	MYR1,700	MYR1,500
Daily wage for six-day work week	MYR65.38	MYR57.69
Daily wage for five-day work week	MYR78.46	MYR69.23
Daily wage for four-day work week	MYR98.08	MYR86.54
Hourly wage	MYR8.72	MYR7.21

These rates are applicable to:

- employers with five or more employees (the rates above will only be effective from 1 August 2025 for employers with fewer than five employees); and
- employers who carry out a professional activity classified under the Malaysia Standard Classification of Occupations as published officially by the Ministry of Human Resources.

Minimum wage rates do not apply to domestic servants.

Additional privacy rights – The government has introduced additional privacy rights for employees, notably:

- biometric data is now categorised as sensitive personal data. Employers will now need to obtain the explicit consent of employees unless the biometric data is collected for the purpose of exercising or performing any right or obligation which is conferred or imposed by law on the data user in connection with employment;
- employers must now immediately notify employees of any data breach that causes or is likely to cause them harm; and
- employees may ask their employer to transmit their personal data to another data controller of the employees' choice by electronic notification.

Flexible working guidelines – The Ministry of Human Resources has introduced "Flexible Working Guidelines" to complement the flexible working arrangement introduced in the Employment Act 1955. The guidelines recognise the following flexible working arrangement (**FWA**):

- flexible working hours;
- flexible working days;
- flexible working place; and
- combination of flexible working arrangements.

The guidelines further recommend the following for employers in approving FWAs:

- to consider whether the FWA is fixed, temporary or rotational;
- to establish a monitoring mechanism;
- to specify conditions where FWA approval may be revoked – otherwise, mutual consent is required; and
- incentives to facilitate FWAs.

The guidelines notably provide the following on FWAs:

- application process;
- employers' and employees' responsibilities on FWA applications and approvals;
- recommendation to establish an appeal mechanism; and
- complaint procedure for employees.

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Philippines

Constructive dismissal – A recent decision by the Supreme Court held that an employee who:

- was a victim of sexual harassment; and
- continued working after the acts of harassment,

was constructively dismissed from employment. This adds colour and complexity to the doctrine of constructive dismissal, which has traditionally entailed an employee's actual cessation of work due to a harsh or hostile working environment. Based on this case, employees who continue working for a company may still be considered to have been constructively dismissed.

New rules on employment of foreign nationals by Philippine entities – The Department of Labour and Employment recently issued a Department Order entitled "New Rules and Regulations on the Employment of Foreign Nationals in the Philippines". The new rules provide for modified deadlines for filing Alien Employment Permit (**AEP**) applications and new rules on publications for the labour market test (which is for the purpose of proving that a local is not capable to perform the work to be performed by the foreign national). The rules further allow foreign nationals to apply for an AEP even when such person is outside the Philippines.

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Singapore

Passing of Workplace Fairness Bill – On 8 January 2025, Parliament passed the Workplace Fairness Bill which enhances protection against workplace discrimination while preserving workplace harmony. This will cover substantive rights under the Workplace Fairness Legislation (**WFL**). Key provisions include:

- prohibiting adverse employment decisions on the grounds of any protected characteristics;
- employment decisions referring to:
  - pre-employment stages such as hiring;
  - employment stages such as appraisals, evaluations, trainings or promotions; and
  - end of employment stages including termination and retrenchment decisions.

There are a number of protected characteristics and these include age, nationality, sex, marital status, pregnancy, caregiving responsibilities, race, religion, language, disability and mental health conditions.

The Bill will, among other things, require employers to implement grievance-handling processes, prohibit employers from retaliating against employees who file complaints and subject errant employers to stronger penalties.

This Bill is the first of two Bills that will be passed to protect workers against workplace discrimination. The second Bill relates to the way private employment claims can be made for workplace discrimination. If passed, the WFL is expected to be implemented in 2026 or 2027.

Paternity leave and shared parental leave scheme – New employment policies on paternity leave and shared parental leave affecting employers and employees which were announced on 18 August 2024 will come into effect from 1 April 2025:

- *Paternity leave*: From 1 April 2025, eligible employees will be entitled to four weeks' paternity leave. This will mean that employers must offer four weeks' paid paternity leave.
- *Shared parental leave*: This is to be implemented in two stages. For the first stage, eligible employees with babies born from 1 April 2025 (or with an estimated date of delivery of 1 April 2025) will be entitled to six weeks' shared parental leave. For the second stage, from 1 April 2026, shared parental leave entitlement increases to 10 weeks. This will replace the shared leave scheme which allows husbands to share four weeks of their wife's 16-week maternity leave entitlement. These entitlements will be available to eligible employees only, in accordance with existing guidelines and subject to prevailing caps.

Work Pass qualifying salaries – From 1 January 2025, new Employment Pass applications and renewals must meet higher EP qualifying salary levels. This revision will apply to new applications from 1 January 2025 and to renewals of passes expiring from 1 January 2026. Unless exempted, the Complementarity Assessment Framework (**COMPASS**) will continue to apply. COMPASS is a transparent points-based system that aims to

give businesses greater clarity and certainty for manpower planning, enabling employers to select high-quality foreign professionals, while improving workforce diversity and building a strong local core.

For S-Pass applications, there will be further changes to the S-Pass qualifying salary on 1 September 2025, which is currently subject to confirmation.

Increase in CPF contributions – In the recent Budget Statement announced on 18 February 2025, it was announced that the total contribution rates for employees aged 55 to 65 will be raised in 2026.

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South Korea

Expansion of parental leave benefits – South Korea has enhanced parental leave benefits to provide greater flexibility for working parents. Under the revised system, employees can now take parental leave in smaller increments, rather than being required to use it as a continuous block. Specifically, parents of children under the age of 12 months can take up to three individual periods of leave, with each period lasting between one and three months, up to a total of 12 months per child. Additionally, the first three months of parental leave are now compensated at 80% of the employee's average wage, up from the previous 50% (with a cap of KRW 1.5 million per month), easing financial burdens for working parents. Employers should review their parental leave policies to ensure compliance and assess the impact on workforce management.

Supreme Court clarifies ordinary wage concept – The Supreme Court has recently clarified the scope of ordinary wage, which serves as the basis for calculating overtime pay and other statutory allowances. The ruling confirms that regularly paid bonuses and fixed allowances that are uniformly and consistently provided to employees must be included in ordinary wage calculations. As a result, employers who have previously excluded such payments from ordinary wage calculations may face increased labour costs. Given the financial and legal implications, companies should conduct internal payroll audits to assess whether their wage structures comply with the clarified definition. Employers should also review employment contracts, collective agreements and wage-related policies to mitigate the risk of wage disputes and ensure compliance with labour regulations.

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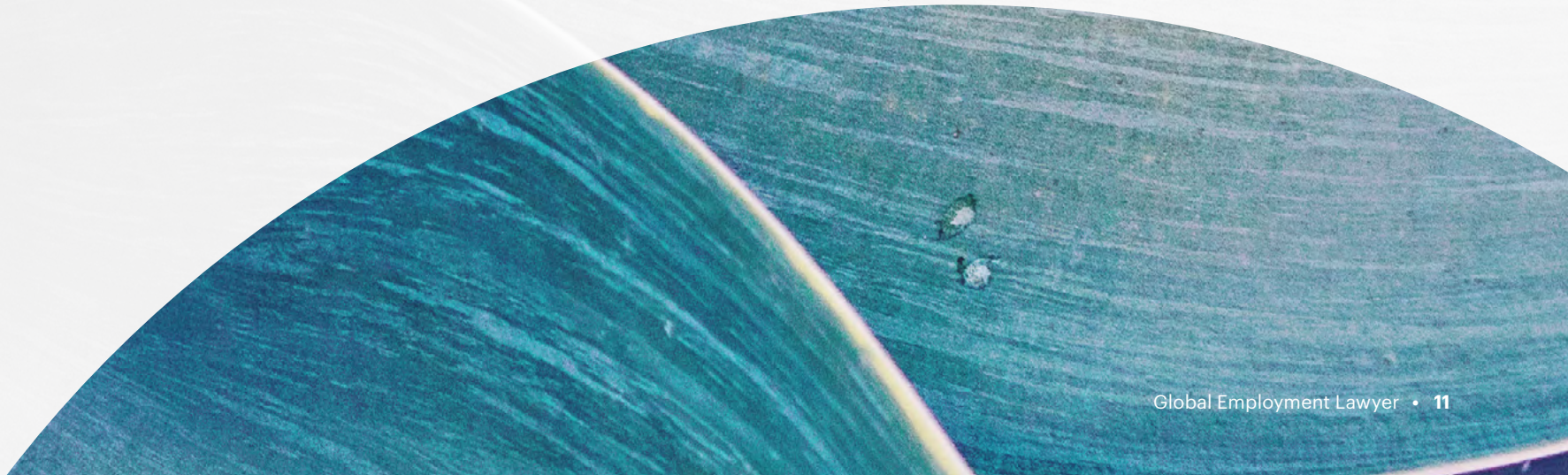

Taiwan

Unions encouraged to strengthen collective bargaining agreements – The Ministry of Labour (**MOL**) is incentivising labour unions to sign collective bargaining agreements to improve worker protections and stabilise labour relations. Since launching the incentive programme, the MOL has provided financial support of up to around US$8,400 per union, with more than US$2.8 million awarded to 531 unions as of August 2024.

The MOL evaluates applications based on the extent of worker protections, improvements in labour conditions and the number of employees benefiting from the agreement. Recognising that successful negotiations take time, the MOL also offers customised support through legal and labour relations experts to assist with stalled negotiations.

To further support unions and employers, the MOL recently updated its Notes and Reference Cases for Drafting Collective Bargaining Agreements, providing guidance for drafting comprehensive agreements. This, along with onsite consulting services, aims to encourage balanced and well-structured agreements that enhance worker rights while maintaining stable labour-management relations.

Maternity and childcare protections strengthened for migrant workers – In January 2025, Taiwan introduced new guidelines to protect the rights of migrant workers during pregnancy, childbirth and childcare. The guidelines provide clear information for workers, employers and employment agencies, ensuring a better understanding of workplace protections and support services.

Employers should note that migrant workers are now entitled to better maternity-related assistance, including access to consultation centres in key cities. These centres offer guidance on maternity leave, healthcare, childcare options and job transitions. Employers are also encouraged to provide flexible work arrangements and childcare facilities to support workers returning to work after childbirth.

To improve awareness, the government has made these guidelines available in multiple languages and will promote them through digital platforms, airport briefings and training sessions. Employers should review their policies to ensure compliance and provide necessary support to their workforce. Failure to accommodate maternity rights may lead to disputes or reputational risks. By aligning workplace policies with these protections, businesses can foster a supportive and compliant work environment while improving employee retention and productivity. Companies employing migrant workers should proactively communicate these changes and ensure that managers understand their obligations under the new framework.

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Uzbekistan

Changes to Uzbek Labor Code approved – The President has signed the law "On amendments and additions to the Labour Code of the Republic of Uzbekistan". The law was enacted on 14 February 2025 and introduces the following changes:

- a prohibition on the dismissal of an employee for reasons related to pregnancy or having a child;
- a procedure is being introduced for executing employment contracts in electronic form through the Unified National Labour System;
- previously, unpaid leave could not exceed three months continuously or cumulatively within a calendar year from the date of the last unpaid leave. Under the amendments, the limit remains three months but is now measured cumulatively over a rolling 12-month period;
- the average salary for all labour remuneration systems is now determined as 1/12 of the total labour remuneration accrued over the 12 calendar months preceding the month in which the employee's average salary is retained; and
- Sunday is not counted when calculating both annual leave pay and monetary compensation for unused leave upon dismissal.

Digitalisation of employment procedures – New legislation envisions additional digital options for government services in the employment sector, as outlined below:

- *Conclusion of employment contracts via government labour platform (Unified National Labour System)*: This service is already available on the platform, allowing both parties to sign the contract with their electronic digital signatures. The signed employment agreement will then be accessible to the employee through their personal government account.
- *Assistance to job seekers*: Starting from 1 April 2025, an online public platform will provide information on available job openings, including details on offered salaries and required qualifications. This platform aims to assist individuals in their job search efforts.
- *Background check of workplace conditions*: Employers will be assessed based on their compliance with employment regulations and occupational safety standards. The government plans to make these ratings publicly available on an online platform, with the system intended to go live on 1 March 2025.

Additionally, employment disputes may now be considered in online mediation procedures.

New functions of the Labour Inspectorate – The government is set to enhance labour compliance regulations by granting additional powers to the Labour Inspectorate:

- *Conducting labour compliance audits*: Effective 2025, the Labour Inspectorate will be required to conduct labour compliance audits. These audits will evaluate adherence to occupational safety standards, labour legislation and the requirements for employers to obtain civil insurance. Notably, the Labour Inspectorate will have the authority to impose financial penalties on employers found to be non-compliant without the need for a court ruling; and
- *Inspecting state-funded construction sites*: To check for compliance on the required number of employees.

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Australasia

Australia

Artificial intelligence and automated decision-making – In February 2025, the Australian government tabled "The Future of Work" report (**Report**), following an inquiry into the digital transformation of workplaces.

Employers in Australia are increasingly using artificial intelligence (**AI**) and automated decision-making (**ADM**) across all stages of the employment lifecycle, from recruitment (such as screening and identifying candidates) to training and performance management (such as tracking worker locations and productivity), to termination.

The Report makes 21 recommendations, focused on maximising the benefits of AI and ADM whilst also addressing the risks, including that the Australian government:

- classify AI systems used for employment-related purposes as high-risk and adopt the proposed mandatory guardrails for high-risk AI;
- review the Fair Work Act to ensure decision-making using AI and ADM is covered, and that employers remain liable for these decisions; and
- amend the Fair Work Act to improve transparency, including by requiring all organisations that use AI or ADM systems to disclose this to existing and prospective workers and customers.

Casual conversion to permanent employment – From 26 February 2025 (or 26 August 2025 for small business employers), eligible casual employees can notify their employer if they believe they are no longer a casual employee and want to change to permanent employment. This has been called the "employee choice" pathway.

An employer must consult with the employee about the notification and give a response within 21 days, either accepting the notification and confirming the employee's transition to full-time or part-time employment or rejecting the notification. A dispute about these new laws may be brought before the Fair Work Commission.

Review of Secure Jobs, Better Pay legislative changes – Over the last few years, the Australian government has introduced significant amendments to employment laws (many under the Secure Jobs, Better Pay Act). In late 2024, a review was commenced into these changes and a draft report has now been released. The draft report contains 19 recommendations, including that the Australian government should:

- consider whether it is appropriate to extend the protected attributes in the Fair Work Act to cover perimenopause and menopause, as well as other reproductive health issues; and
- reconsider the approach to limiting the use of fixed-term contracts, including making the limitation and current exceptions more readily applicable in practice (for example, by increasing the years/renewals threshold or clarifying the Australian government funding exception).

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New Zealand

Minimum wage increase – The New Zealand government increased the minimum wage by 1.5% with effect from 1 April 2025. This is the lowest increase in the last decade, reflecting the government's commitment to moderation in this area.

No right to collective bargaining without an employment relationship – A union representing high-performance athletes brought a legal claim seeking the right to bargain directly with the government body that funds various sporting bodies. The Employment Court held that to initiate collective bargaining, there must be an existing employment relationship between the union's members and the employer. This decision protects employers from unconnected unions initiating collective bargaining processes. However, the union has sought leave to appeal.

Strict application of trial periods – Statutory trial periods were re-introduced in December 2023 as an option for all new employments. However, a recent decision in the Employment Court highlights the strict rules employers must follow in order to rely upon trial periods. Where an employee had commenced their employment 11 days prior to signing their employment agreement, the trial period was deemed to be invalid. The employer not only faced an unjustified dismissal claim, but a NZ$2,500 penalty payable to the Crown.

Employment Court sets out test for name suppression – The Employment Court has clarified the two-part test to consider before making non-publication orders. This requires, first, a reasonable expectation of adverse consequences to occur if the order was not made. Secondly, the court must consider whether the adverse consequences that could reasonably be expected to occur justify a departure from open justice in the circumstances of the case. This second stage of the test is a weighing exercise of factors including circumstances, public interest, good conscience and Māori customary law principles. The two-part test provides improved certainty on the circumstances which would justify a non-publication order notwithstanding the general rule that all proceedings are open to the public.

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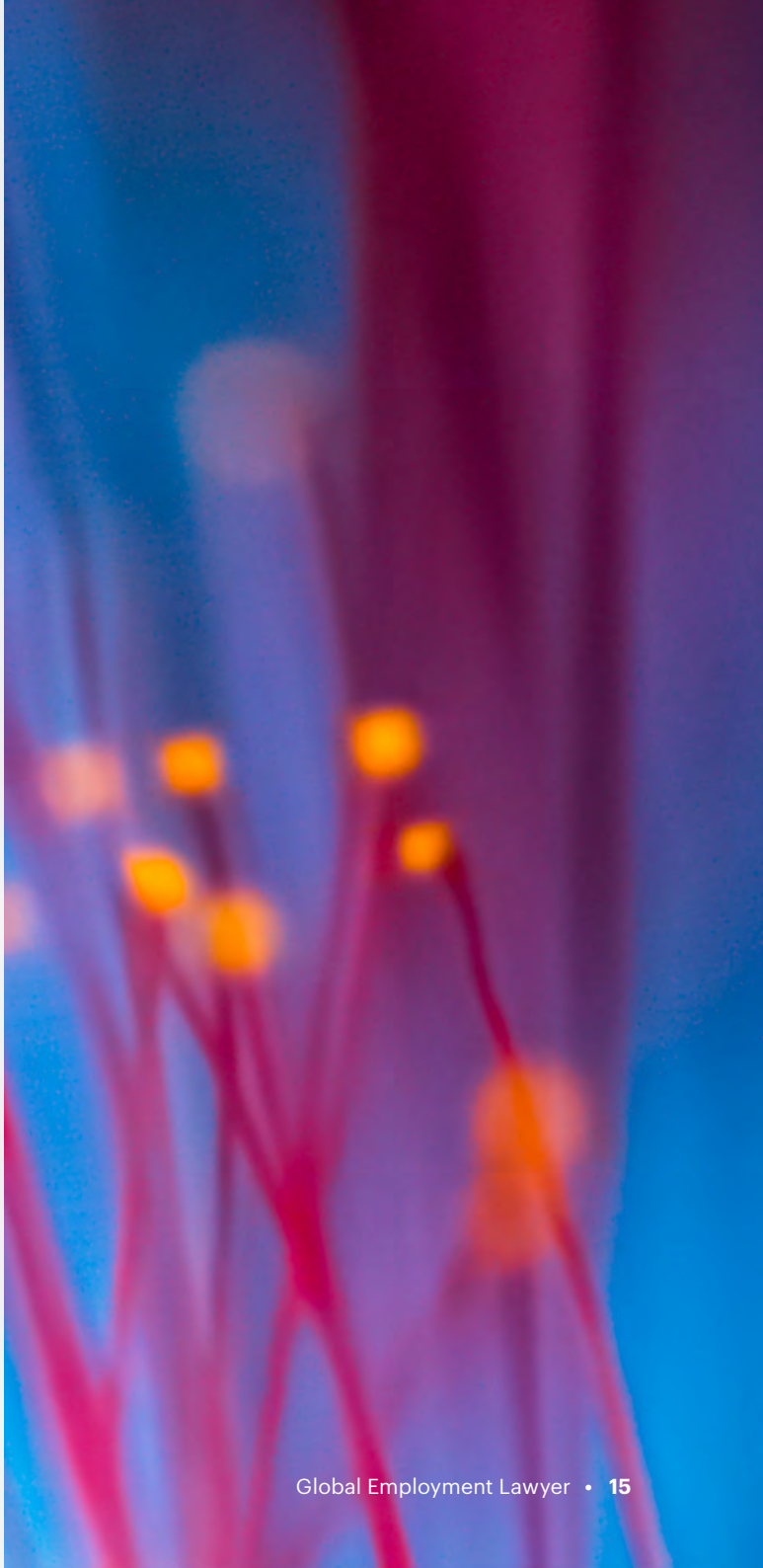

Central America, South America and The Caribbean

Argentina

Buenos Aires creates its own labour court system – A law establishing a new labour court system within the city's jurisdiction was passed. This system will include 10 First Instance Labour Courts and a Labour Court of Appeals with two divisions. It will operate alongside the existing National Labour Court System, with jurisdiction in the Autonomous City of Buenos Aires.

This court system will handle labour disputes in the following cases:

- if the workplace is located within the Autonomous City of Buenos Aires;
- if the employment contract was signed within the city; and
- if the worker resides in the city.

A new Labour Procedural Code was also approved, introducing key changes such as oral proceedings, digitalisation, virtual case management and shorter deadlines for both parties and judges.

Before the new system can begin operating, judicial positions must be created through a competitive selection process by the Judicial Council.

It is important to note that labour cases already filed with the National Labour Court System will continue to be processed under its jurisdiction.

Important ruling of National Supreme Court – At the end of 2024, the National Supreme Court (**CSJN**) issued one of the most important rulings of the year in the *Levinas* case. The CSJN ruled that the Superior Court of Justice of the Autonomous City of Buenos Aires (**TSJ**) has the authority to review decisions made by the National Courts of Appeal, which are located in the Autonomous City of Buenos Aires. The CSJN will only review rulings made by the TSJ.

This decision significantly changes the process for reviewing final judgments and similar rulings issued by these national appellate courts. However, for now, the national appellate courts in civil, commercial, labour and criminal matters have chosen not to comply with the CSJN's ruling.

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Bolivia

Payment of social benefits through bank accounts of the Ministry of Labour – The Ministry of Labour has issued a reminder regarding the possibility for employers to pay social benefits to employees through the Ministry's bank accounts. If an employer wishes to use this service, they must first obtain authorisation from the Ministry, which is granted through a Payment Code. If an employer makes the payment without prior authorisation from the Ministry, the payment will not be recognised as a valid deposit of social benefits. Consequently, the employer will need to undergo an administrative process to request a refund of the payment.

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Chile

Minimum wage increase – As of 1 January 2025, the minimum monthly income will increase to CLP$510,636.

New pension reform – On 29 January 2025, Congress approved a reform to the Chilean pension system, although this still has to be reviewed by the Constitutional Court. Once this process is complete, it will be published in the Official Gazette, which is expected to occur in March. The main change is that it will impose a mandatory employer contribution of 8.5%.

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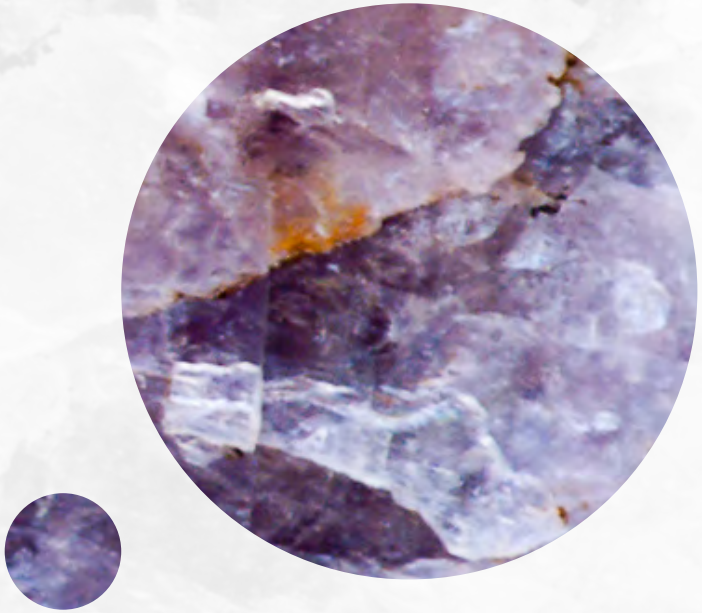

Colombia

New procedural code for the labour jurisdiction – On 6 December 2024, Congress approved, in its last debate, a bill promoted by the Supreme Court of Justice, which implements a new labour and social security procedural code. The bill has not yet been sanctioned by the President and is still pending formal corrections. However, among the main changes are:

- the inclusion of the use of information and communications technology in labour proceedings;
- the elimination of single instance proceedings and increase of procedural amounts; and
- the incorporation of general procedural rules such as nullities, types of evidence and precautionary measures.

Once approved by the President, this new regulation would enter into force within one year. Proceedings initiated prior to the entry into force of the Code would continue to be dealt with under the previous procedural rules.

Extension of maternity protection – In a recent judgment, the Constitutional Court eliminated the legal requirement concerning the unemployment status of the employee's partner. The court ruled that requiring the employee's partner to be formally employed and to provide a sworn statement that he/she is unemployed constitutes a violation of the principles of dignity and equality, since this leave must be guaranteed to all employees.

Therefore, from the moment an employer becomes aware of an employee's partner's pregnancy, and up to 18 weeks after delivery, the employee enjoys special protection preventing the employer from unilaterally terminating the employment agreement.

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Costa Rica

Holiday changes – In Costa Rica, public holidays are regulated by the Labour Code, which not only grants individuals the right to rest but also the opportunity to celebrate and honour the country's rich history, culture and traditions. In addition to their social and cultural value, holidays also help to establish a balance between work and personal wellbeing, ensuring that employees enjoy time to rest and rejuvenate. In 2025, Costa Rica will observe several public holidays, some of which fall on key weekdays, presenting both opportunities and challenges for the country's labour and economic planning. The occurrence of these holidays on specific weekdays may influence business operations, staffing needs and productivity levels, making it important for companies to plan accordingly – for example, adapting their schedules and compensation practices to ensure that employees are fairly compensated while maintaining operational efficiency during these holidays.

Starting in 2025, the law which allowed holidays to be moved to Mondays to promote domestic tourism from 2020 to 2024 will no longer apply. As a result, holidays will be observed on their actual dates, which could impact the workweek and employee schedules. This change will require businesses to carefully consider the implications for their employees, ensuring that they comply with the new regulations and adjust compensation practices as needed. The transition from the previous system may also affect employees' expectations and understanding of how holidays will be recognised and paid in the future. Clear communication and thoughtful planning will be essential to mitigate any potential disruptions and maintain employee satisfaction and productivity moving forward.

Regulating remote work from abroad – The law to "Explicitly Detail Remote Working from Abroad, Avoiding Subjective Interpretations" was recently approved in its first debate. It will enter into force once it has been approved in second debate and published in the country's Official Gazette. Its purpose is to regulate remote work from abroad, providing clearer guidelines for this increasingly common mode of work.

The proposed law aims to amend current legislation on remote work, allowing it to take place both in Costa Rica and abroad. Additionally, it introduces provisions to regulate remote work from abroad:

- if the employer requires an employee to work from abroad, the employer must assume all corresponding obligations, including providing the necessary technological tools, work equipment, workers' compensation insurance and other essential requirements for the proper performance of the employee's duties from abroad; and

- conversely, if the employee requests authorisation to work remotely from abroad, then the employee will be responsible for providing their own technological tools and work equipment, as well as obtaining workers' compensation insurance and other necessary coverage, unless agreed otherwise by both parties. Once the insurance is obtained, the employee must inform the employer.

By adapting to the global nature of remote work, this law seeks to provide greater legal security for both employers and employees, ensuring that Costa Rican labour standards are maintained, even for those working from abroad.

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Ecuador

Regulation on employer liability – The Ecuadorian Social Security Institute (**IESS**) issued the General Regulation on Employer Liability, which governs the determination and imposition of economic sanctions on delinquent employers for non-compliance with their obligations. This regulation establishes exceptions, sanctions based on the type of insurance and guidelines for its enforcement. Additionally, it amends provisions related to severance and unemployment benefits, ensuring access to these benefits despite employer delinquency, without exempting them from liability.

Mandatory judicial precedents issued by the National Court of Justice – Firstly, it is established that in order to claim compensation for unjustified dismissal, it is not necessary for the worker to have notified their disability status or to be officially recognised as a substitute worker. The only requirements are that the dismissal was abrupt and unjustified and that the worker either has a disability or is responsible for a person with a disability. Furthermore, it is determined that, when calculating severance for an abrupt dismissal, the employer must consider the higher of the following two amounts: the worker's full salary from the last complete month worked or the salary from the month in which the dismissal occurred.

Regulations on pay equity – The regulation mandates that both public and private employers provide at least 40 hours of annual training on gender equality and discrimination. Employers must also report these actions to the Ministry of Labour. It establishes a process for obtaining certification of compliance and defines procedures for filing salary discrimination complaints, with specific deadlines and mechanisms applicable to both the public and private sectors. Non-compliance results in sanctions in accordance with the applicable legal framework.

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Mexico

INFONAVIT and labour law reform on social housing – A decree amending the law governing the National Workers' Housing Fund Institute (**INFONAVIT**) and the Federal Labour Law regarding socially-oriented housing was published on 21 February 2025, with the aim of enhancing the framework for socially-oriented housing.

Key amendments include:

- *Leasing and housing construction subsidiary*: Introduces social leasing for properties built or recovered to support employees and allows the use of a subsidiary for housing construction.
- *Employer-driven deductions for housing leasing*: Employees may choose between new or existing housing or land for construction. After one year of continuous contributions, they qualify for the social leasing programme on terms equivalent to an INFONAVIT credit.
- *Definitive elimination of the suspension of deductions due to disability or absence*: Employers must remit contributions regardless of the worker's salary status, as the decree eliminates the suspension of deductions in cases of disability or absence.
- *Indirect repeal of reimbursement agreements with the Mexican Social Security Institute (**IMSS**)*: Employers' obligation to remit deductions irrespective of salary makes existing reimbursement agreements for disability with IMSS unviable, as deductions can no longer be suspended.
- *Elimination of compensation or reimbursements*: Compensation and reimbursements related to workers' credit payments during disability or absence are eliminated, including in social leasing cases, resulting in joint employer liability.
- *Authorisation for deductions pertaining to social leasing*: Deductions for social leasing are authorised, with a cap set at 30% for employees receiving minimum wage.
- *Guaranteed access to housing subaccount resources*: Employees are assured access to their housing subaccount resources in the event of unemployment.

Given these changes, companies should conduct a thorough analysis of the potential impact on their operations, particularly in relation to the number of employees holding mortgage credits through INFONAVIT and prevailing absenteeism rates. Such an assessment will be crucial in determining the best course of action moving forward.

Criteria for incorporating attendance and punctuality bonuses into base salary for contribution purposes (SBC) - On 10 December 2024, an agreement was published in the Official Journal of the Federation. This agreement serves as a guideline for employers and other obligated parties concerning the exclusion from SBC of amounts exceeding 10% of payments made for attendance and punctuality bonuses, in accordance with amends to the Social Security Law which became effective on 11 December 2024.

The criteria specify that attendance and punctuality bonuses may only be excluded from the SBC if the following conditions are met:

- the total of such bonuses does not exceed the 10% threshold;
- they are accurately documented in the employer's accounting records; and
- they are granted as incentives contingent upon perfect attendance or punctuality, rather than as routine payments not linked to the employee's conduct.

Should any of these conditions be unmet, attendance and punctuality bonuses will be required to be included in the SBC, as they are considered economic benefits derived from the employment relationship. Furthermore, the criteria identify the following practices as improper tax practices within the realm of social security, excluding from the SBC any payment for attendance and punctuality bonuses that:

- surpass the stipulated 10% limit; and
- do not meet the established conditions for such bonuses i.e. those that are granted regularly and not contingent upon specific behaviours (such as perfect attendance or punctuality), or that are not properly recorded in the employer's accounting records.

Employers are strongly advised to conduct a comprehensive review of the processes by which attendance and punctuality bonuses are awarded, ensuring compliance with the requirements necessary for their exclusion from the SBC.

"Chair Law" scheduled for implementation in 2025 – On 19 December 2024, Mexico's Chair Law ("*Ley Silla*") was officially published in the Official Journal of the Federation. Employers are granted a 180-day compliance period from the publication date, meaning 17 June 2025 is the effective date for enforcement.

Key provisions of the Chair Law of relevance to employers are as follows:

- employers must provide seats or chairs with backrests to all employees in the service, commerce and similar sectors for the better performance of their work or, if not possible due to the nature of the work, for periodic rest during the work shift;
- employers are prohibited from requiring employees to remain standing for their entire work shift;
- if it is not possible to provide seating or chairs due to the nature of the work, seating or chairs should be placed in specific areas for employees to take periodic rests; and
- internal work regulations must include mandatory rest periods and rules to ensure the proper use of seats or chairs during the work shifts.

While the Chair Law explicitly identifies employers within the service and retail sectors as subject to its mandates, it does not exempt employers in other industries. Consequently, it is anticipated that all employers will need to comply with the law's requirements. The only exception relates to situations where the nature of the work may pose a risk to employees if performed while seated. Nevertheless, employers must ensure that some form of rest period is afforded whenever the nature of the work permits.

Failure to comply with the provisions of the Chair Law will result in financial penalties ranging from 250 to 2,500 times the Mexican Measurement and Updating Unit.

Employers should closely monitor the interpretation and enforcement of this regulation by labour authorities, particularly regarding its applicability across various industrial sectors and the criteria used to assess whether "the nature of work" allows employees to perform their duties effectively while seated.

In addition, companies are required to revise their internal work regulations to include mandatory breaks during the workday and to affirm the right of employees to utilise chairs equipped with backrests.

Reform to Federal Labour Law related to digital platforms – On 24 December 2024, Mexico enacted amendments to its Federal Labour Law concerning digital platforms, which will take effect 180 days post-publication, being 22 June 2025.

This reform classifies the majority of individuals providing services via digital platforms as employees, thereby conferring upon them essential employment rights and access to the social security system.

Among the significant obligations imposed on digital platform companies are the following:

- *Time tracking*: Establish robust mechanisms to accurately monitor hours worked and periods of standby.
- *Payment receipts*: Issue weekly payment receipts documenting services rendered.
- *Data security*: Implement effective measures to safeguard employees' personal information and data.
- *Social Security registration*: Register employees and independent workers with the Mexican Social Security Institute.
- *Housing Fund contributions*: Ensure that appropriate contributions are made on behalf of employees to the National Workers' Housing Fund.
- *Training and assistance*: Develop mechanisms to train and assist employees in the effective use of the digital platform.
- *Occupational health and safety*: Provide comprehensive information regarding occupational health and safety protocols to which employees must adhere while performing their duties.

- *Complaint procedures*: Establish specific procedures for the receipt and resolution of internal complaints or claims made by employees.
- *Payment information*: Provide clear information to employees regarding compensation for each task performed.
- *Employment agreements*: Submit employment agreements to the Federal Conciliation and Registration Centre for approval and registration, as these will be subject to the oversight of the registration authority.

It is advisable for companies operating through digital platforms to conduct a thorough analysis of their current operational structure to determine their compliance with the newly enacted reforms.

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Peru

Minimum wage increase – From 1 January 2025, minimum wage increased by S/ 105, from S/ 1,025 to S/ 1,130. The main implications of this measure are as follows:

- *Higher labour costs*: The increase will result in higher labour costs for employers, particularly in terms of social benefits for employees earning the minimum wage.
- *Increased family allowance*: The family allowance, which is 10% of the minimum wage, will increase to S/ 113.
- *Mining sector adjustment*: For the mining sector, the minimum wage will increase to S/ 1,412.50, as it is calculated at 125% of the standard rate.
- *Higher Agrarian Bonus*: The Special Agrarian Work Bonus, which is 30% of the minimum wage rate, will rise to S/ 339.
- *Increased subsidy for trainees*: Monthly subsidies for individuals in training programmes who meet the maximum training hours will also be set at S/ 1,130.

This change is significant for both employees and employers, with broader implications for payroll, benefits and other labour-related calculations.

Immediate social health insurance coverage for pregnant women – On 23 January 2025, Peru enacted a Supreme Decree modifying the rules governing social health insurance. The key impact of this measure is the immediate coverage for pregnant women. The changes ensure that pregnant women receive immediate access to health benefits from the moment they join ESSALUD, the country's national health insurance system, without the need for prior contributions (previously referred to as the "waiting period").

ESSALUD and health providers have 90 calendar days from the publication of the decree to adapt their regulatory frameworks to recognise and process these benefits. The deadline for compliance is 15 April 2025.

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New regulations for workers on digital platforms – A new statute establishes new entitlements for both dependent and independent workers engaged by digital platforms offering goods delivery or urban transportation services, including:

- **Dependent employees**
  - Dependent employees shall be regarded as being "at the disposal" of their employer from the moment they log into the digital platform. However, periods during which the employee is logged in, but in "pause mode", shall not be considered as working time.
  - Working week of 48 hours.
  - The employee's minimum wage may be determined on a per trip, delivery or distribution basis, considering factors such as distance, travel time and waiting period during the journey.
- **Independent employees**
  - Independent employees are entitled to coverage under the work accident and professional disease insurance provided by Statute No. 16,074.
  - Independent employees may opt to enrol in the regimen of monotax, having the right to all social security benefits.
  - Independent employees are entitled to exercise freedom of association, including the right to form unions and engage in collective bargaining with the owner of the digital platform for which they provide services. In this way, independent workers may enter into collective agreements with the digital platform regarding their work conditions and compensation.

The statute also creates new obligations for employers who provide services through digital platforms of delivery of goods or urban transport, including obligations to:

- inform their employees of the reasons for decisions to restrict, suspend or cancel their accounts, as well as their contractual status, among other things;
- evaluate the risks posed by automated monitoring and decision-making systems to employee health and safety, and implement adequate prevention and protection measures; and
- train their employees on traffic rules.

The classification of digital platform workers as either dependent or independent is not explicitly defined by the statute, leaving this determination to the Labour Courts.

Subsidy for employment of ex-convicts – Under a new statute, companies that hire ex-convicts will receive a subsidy equivalent to 80% of the employee's monthly salary, subject to social security contributions, up to a maximum of 80% of two national minimum wages. To qualify, the employment period must be between a minimum of six months and a maximum of 12 months.

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Venezuela

Executive decree on bar against dismissals – On 27 December 2024, the executive branch issued a decree on the special bar against dismissals, which takes effect on 1 June 2025. This decree provides special protection against dismissals for employees in both the public and private sectors until December 2026. The bar against dismissals prohibits employers from dismissing employees, impairing their labour conditions or transferring them without obtaining prior authorisation from the Labour Inspector's Office. Additionally, if the employer fails to request the justification for dismissing a worker, the worker will have the right to ask for reinstatement and payment of unpaid wages and labour benefits, or restoration of the infringed legal situation. Upper management employees and temporary and occasional workers are excluded from this protection.

Court ordered payment of the nutrition benefit using the current exchange rate – In a labour dispute, the Social Cassation Chamber (**SCC**) of the Venezuelan Supreme Tribunal of Justice (**STJ**), partially upheld a claim for unpaid nutrition benefit from 30 October 2016 to 30 May 2019. The STJ determined that the lower court erred by applying an outdated 2019 decree (Bs. 25,000) instead of the current value set by Decree No. 4,805 of 1 May 2023 (Bs. 1,000), further adjusted to US$40 monthly (converted to Bolivar national currency at the official rate) as a widely recognised presidential announcement, despite its lack of formal publication in the Official Gazette as required by law.

Intellectual property rights over inventions and improvement regime upheld – On 28 November 2024, the Constitutional Chamber of the STJ confirmed that Article 59 of the Intellectual Property Act was superseded by the regime contained in the Labour Law. The labour legislation enacted in 2012 distinguishes between public and private sector innovations, granting private sector workers perpetual rights over their creations while limiting employer exploitation to the duration of the employment relationship or a licensing agreement, with additional protections for disproportionate employer profits – contrasting sharply with Article 59's broader cession.

Compensation agreed in a foreign currency must be in writing – In a lawsuit against an oil company, the SCC of the STJ reaffirmed it now established a doctrine that agreements for compensation in foreign currency must be in writing. Accordingly, workers must prove that there was a clear covenant to pay in foreign currency, otherwise under labour legislation, the court must order the payment in local currency considering the exchange rate published by the Venezuelan Central Bank.

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Europe

Czech Republic

Automatic transfer of rights and obligations (TUPE) – Recently, in the Czech Republic, increasing attention has been given to the implications of the automatic transfer of rights and obligations in employment relationships. A key Supreme Court judgment has confirmed that such transfers cannot serve as a justifiable reason for the unequal treatment of employees. Employers must adapt to this new interpretation of the Czech Labour Code while navigating the challenges of post-transfer integration.

The Supreme Court ruled that once the automatic transfer of rights and obligations takes effect, the transferee employer must take measures to eliminate any unequal treatment of employees resulting from differences in the rights and obligations of transferred employees and existing employees. This adjustment must be made within a reasonable period (usually two months), after which any differences in treatment of employees will no longer be justified.

Until now, employers have assumed that the working conditions of transferred employees, including salary and benefits, could not be worsened due to the automatic transfer of rights and obligations. Even with employees' consent, changing the working conditions of the transferred employees to their detriment to eliminate unequal treatment between transferred and existing employees was considered impermissible.

However, the Supreme Court clarified that the means by which the equal treatment of transferred employees and existing employees is achieved is entirely up to the transferee employer. According to the Supreme Court, Czech employment law does not prohibit the worsening of the working conditions of the transferred employees and, in fact, allows for the possibility that the automatic transfer of rights and obligations under the employment relationship may result in a substantial worsening of the working conditions of transferred employees. Transferred employees facing worsened working conditions can resign within two months of the transfer in which case they are entitled to a severance payment.

Employers must take this ruling into account when undergoing the automatic transfer of rights and obligations and prepare to either improve the working conditions of the transferred or existing employees or risk attrition and severance costs. To mitigate risks of unequal treatment, transferee employers must have a comprehensive understanding of the transferred employees' working conditions in advance, allowing them to address disparities within the reasonable period.

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France

Supreme Court rules on consultation process – In a recent case, a company announced a restructuring plan that involved transferring several employees to a new entity. During the consultation process, the employee representative body – the Central Social and Economic Committee (**CSEC**) – argued that the information provided by the company was insufficient for them to give an informed opinion on the transfer. They requested additional documents related to the transfer of assets and its financial implications.

The CSEC took legal action, asking the labour court to compel the company to provide the requested documents and suspend the transfer until the consultation was complete. However, both the labour court and the Court of Appeal rejected the request, concluding that the information provided by the company was sufficient for the CSEC to proceed.

The Supreme Court dismissed the appeal by the CSEC, stating that:

- the CSEC cannot take legal action to challenge the legal validity of the restructuring plan itself, as this right is reserved for the employees involved;
- however, the CSEC can require necessary documents to form an opinion, but these requests should not aim to challenge the restructuring plan; and
- the Court of Appeal, exercising its discretion, judged that considering the number of meetings, the responses provided by the employer and the expert report commissioned by the committee, the information provided by the employer was useful, fair and sufficiently precise and detailed on the goals, means and employment consequences for the committee to form an opinion.

This decision reaffirms previous case law, which holds that the CSEC can only intervene alongside an employee in a dispute about the legal validity of the restructuring plan itself, if it can demonstrate a direct interest in how the violation affects its functioning and resources.

This decision also reaffirms that the CSEC does not have the power to take legal action on behalf of employees when its own interests are not directly involved.

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Pay transparency proposals - On 15 January 2025, the Irish government published proposed draft legislation related to pay transparency prior to the June 2026 implementation date of the EU Pay Transparency Directive. The proposals include a requirement on employers to provide information about salary levels or ranges in job advertisements and a prohibition on asking job applicants about their pay history or their current rate of pay.

The proposals are at a formative stage. Further draft legislation will be required to implement other requirements under the Directive.

Employers should prepare for the provision of pay ranges in job advertisements and refrain from asking questions on pay history in advance of legislation in this area.

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Labour law changes – Law No. 203/2024 (known as the "Collegato Lavoro") came into force on 12 January 2025, introducing significant measures aimed at simplifying and rationalising labour regulations. Key amendments have been made to staff leasing agreements, seasonal work and termination of employment.

One of the key amendments concerns the removal of the transitional regime that previously allowed, until 30 June 2025, the 24-month limit for temporary assignments of staff leasing employees to be exceeded if they were hired on an open-ended basis by the staff leasing agency.

Another significant amendment relates to the use of fixed-term employees through temporary leasing agreements. In particular, when calculating the quantitative limit for fixed-term employees - currently set at 30% of the number of employees hired on an open-ended basis by the user as of 1 January of the year in which the contracts are signed - the following employees are excluded:

- employees hired by the staff leasing agency on an open-ended basis; and
- employees with specific characteristics or hired for particular needs, such as seasonal activities, specific entertainment roles, start-ups, replacements for absent employees or workers over the age of 50.

Additionally, it will no longer be necessary to provide a "reason" (so-called "causale"), even if the contract exceeds a 12-month term, for temporary leasing employees who have been receiving social shock absorbers or unemployment indemnity (so-called "NaspI") for at least six months or who are disadvantaged or severely disadvantaged employees, according to the law.

The law also broadens the definition of seasonal workers to include those hired to meet seasonal peaks or technical-productive needs related to seasonal cycles in production sectors or markets, as established by the applicable collective bargaining agreements (including those in force prior to the law).

A further important amendment concerns the termination of employment. The law introduces measures against long-term unjustified absences. Under the new provisions, an employment relationship will be considered terminated at the employee's own will if an unjustified absence exceeds the period established by the applicable national collective bargaining agreement or, in the absence of such a contractual provision, exceeds 15 days. The employer must report such an absence to the National Labour Inspectorate (so-called "Ispettorato Nazionale del Lavoro"), which may verify its legitimacy. However, the employee has the opportunity to prove that the absence was due to force majeure or employer-related issues, thereby preventing unjust "blank resignations."

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Supreme Court rules no hierarchy among factors when determining the existence of an employment agreement – Under Dutch law, the material work relationship between parties is the decisive factor in determining whether an employer-employee relationship exists, regardless of the parties' intentions. In a 2023 ruling on the employment status of app riders, the Supreme Court determined that all circumstances of the case must be considered when assessing the existence of an employment agreement. The Supreme Court provided nine factors to guide this assessment, including (among others):

- the nature and duration of the work;
- the embedding of the work in the organisation; and
- the personal entrepreneurship of the worker.

In this context, personal entrepreneurship refers to whether a worker behaves – or can behave – as an entrepreneur, for example in gaining a reputation, acquiring clients, managing tax obligations and determining how many clients to serve.

Last year, the Amsterdam Court of Appeal examined the employment status of drivers of another app and questioned whether a worker's personal entrepreneurship could be a decisive factor in assessing whether an employment agreement exists. The Supreme Court was asked for guidance.

On 21 February 2025, the Supreme Court confirmed that personal entrepreneurship has equal weight to the other factors, with no single factor taking precedence. However, it cannot be ruled out that taking the worker's personal entrepreneurship into account may influence the qualification of the agreement. Entrepreneurship extends beyond the specific worker-contracting party relationship and includes broader economic activities. Consequently, two workers performing the same task for the same client could be classified differently – one as self-employed and the other as an employee – depending on their personal entrepreneurship. Moreover, when evaluating personal entrepreneurship, both the worker's relationship with the client and their activities outside this relationship, such as serving multiple clients or having a registration in the trade register, should be taken into account. Entrepreneurial behaviour outside the worker-client relationship may therefore decrease the likelihood of the worker being classified as an employee.

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United Kingdom

Further amendments to Employment Rights Bill – The government has tabled significant amendments to the Employment Rights Bill following consultations on zero-hours contracts, collective redundancies, trade unions, statutory sick pay (**SSP**), and umbrella company regulation. Key amendments include the following:

- agency workers must be offered guaranteed hours by end users;
- the maximum protective award for failure to consult is doubled to 180 days;
- amendments to strengthen union rights and extend industrial action mandates;
- SSP eligibility is extended to all employees, irrespective of earnings, with lower earners receiving 80% of wages or the statutory rate, whichever is lower; and
- a regulatory framework for umbrella companies is to be established.

Further details are due to be implemented through secondary legislation.

Religion and belief discrimination - In February 2025, the Court of Appeal ruled that the dismissal of a school employee for expressing views on gender and sex education amounted to unlawful discrimination on the ground of religion or belief. The judgement emphasised that dismissing an employee solely for holding or expressing a protected belief, even if controversial, is direct discrimination. The court found that reputational concerns did not justify the dismissal in this case. The decision reinforces the need for employers to carefully balance workplace policies with employees' rights to freedom of belief and expression.

Fire and rehire - From 20 January 2025, employment tribunals have the power to increase so-called protective awards by up to 25% where an employer unreasonably fails to comply with the code of practice on dismissal and re-engagement.

Neonatal care leave - On 6 April 2025, new legislation comes into force introducing a new statutory day-one right to neonatal care leave and pay for eligible employees whose baby requires neonatal care.

Employer national insurance contributions (NICs) and minimum wage increases - Employer NICs are set to rise from 13.8% to 15% from 6 April 2025, alongside a reduction in the threshold at which contributions apply. Additionally, from 1 April 2025, minimum wage rates are increasing with the new rate for those aged 21 and over set at £12.21 per hour.

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Middle East

Oman

Employment of Omanis – The Ministry of Commerce, Industry and Investment Promotion (**MOCIIP**) now requires businesses with foreign ownership in Oman to hire at least one Omani employee within a year of incorporation. This demonstrates the Omani government's commitment to the promotion of employment of Omanis in the private sector. Failure to comply with the MOCIIP requirement can result in commercial registration suspensions.

Wage Protection System – The Ministry of Labour has enhanced its efforts monitoring the payment of salaries in the private sector under the Wage Protection System (**WPS**). The WPS aims to improve wage transparency by requiring businesses to pay salaries through Oman-licensed banks and financial institutions within three days of the due date as agreed under the employment contract and update the WPS system promptly when changes to the employment contracts occur. It is worth noting that a business must have an Oman-based bank account to complete the WPS registration.

Temporary transfer of non-Omani employees – Oman law now permits non-Omani employees to work for companies that are not their direct employment sponsor on a temporary basis. This was previously prohibited unless certain conditions were satisfied. Now, in an effort to regulate and promote the labour market in a transparent manner, this can be done provided that:

- the employee has completed at least six months with their original employer and the period of transfer to another company is capped at six months per year;
- the employee consents to the transfer;
- the receiving company has complied with its minimum statutory obligations for hiring Omanis (i.e. Omanisation); and
- the transfer is approved by the Oman Ministry of Labour.

Employers are prohibited from permanently hiring the transferred employees after the transfer period expires.

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Saudi Arabia

New amendments to the Labour Law – Amendments to the Labour Law and its implementing regulations took effect on 18 February 2025, providing significant changes including:

- expanded employer responsibilities and enhanced worker protections;
- enhanced employee rights, including in relation to resignation process, grievance procedures, leave entitlements, contract terms, working conditions and training; and
- introduction of a new framework for maritime employment contracts.

The amendments highlight the need for employers in the KSA to now update their employment contracts, handbooks, and policies and procedures in line with the new law. Some of the key recommendations include:

- review and update all existing employment contracts for non-Saudi nationals to include a clear duration. If not specified, the contract will be deemed to be for one year;
- revise leave policies to include any updates to leave entitlements proposed by law, including maternity, paternity, bereavement and marriage leaves;
- revise termination policies to ensure that the period for indefinite contracts (if terminated by the employee) is 30 days instead of 60 days;
- review and update policies related to employee resignation to ensure compliance with the new rules regarding employee resignation; and
- develop a strategic training plan that addresses the qualification needs of Saudi employees and adjust training programmes to meet the required quotas.

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Statutory minimum wage rates – The Minimum Wage Determination Commission (**Commission**) announces the minimum wage rate each year. On 24 December 2024, the Commission decided that the minimum wage will be gross TRY 26,005.50 (approx. EUR 680) and net TRY 22,104.67 (approx. EUR 578) per month. This rate will apply for the period between 1 January 2025 and 31 December 2025.

Increase in statutory severance compensation ceiling – In the event of termination of employment under certain circumstances, statutory severance compensation must be paid to employees. After completion of the first year's service, for each year of service, 30 days' salary shall be paid to the employee up to the then current statutory ceiling.

Pursuant to a communiqué issued by the Ministry of Treasury and Finance dated 6 January 2025, the ceiling for this statutory severance compensation was increased to TRY 46,655.43 (approximately €1,220), applicable for the period between 1 January 2025 and 30 June 2025.

Occupational health and safety obligations – As of 1 January 2025, the obligation of employers to assign a workplace doctor and an occupational safety specialist has been extended to workplaces classified as low-level dangerous and having fewer than 50 employees. Non-compliance with this requirement may result in an administrative fine of TRY 88,663 (approximately €2,320) for each person who was not assigned and for each month of continued violation. This administrative fine amount is applicable for 2025 and changes every year.

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Employment Law amendments – Amendments to the Abu Dhabi Global Market (**ADGM**) Employment Law were issued and will come into force starting from 1 April 2025. The main updates are as follows:

- *Remote work*: For the first time, the law will officially recognise employees working remotely for ADGM-based companies. The scope of remote work will extend to UAE residents and to individuals based outside the UAE and who subsequently are not required to have a work permit or a UAE visa.
- *Overtime*: The amendment abolishes the previous statutory compensation for overtime and replaces it with a reference to guidance to be issued by the registrar. Furthermore, the amendment introduces the right for parties to opt out of the maximum 48 hours of work per week.
- *End of service gratuity*: The amendment introduces the possibility for parties to agree on a pension scheme. It is for the employer to suggest participation in the scheme and the employee has the right to accept or refuse the pension scheme. The employee's acceptance must be documented in writing. An employee who chooses a pension scheme will not be entitled to the conventional end of service gratuity, unless the employer agrees to offer both benefits simultaneously.
- *Payment in lieu of notice*: The amendment makes it clear that a payment in lieu of notice cannot be made unless the employee accepts such payment. The employee's acceptance must be dated after the issuance of the termination decision. Therefore, any clause within the employment contract under which the employee provides consent for payment in lieu of notice, in advance, will be null and void.
- *Penalty for delaying payment of entitlements following termination of employment*: As a result of the amendment, an employer who delays settling an employee's entitlements for a period exceeding 21 days from the last day of employment will be liable to pay a penalty to the employee equivalent to their daily wage for each day of delay. This penalty will not be due in the event the value of the delayed entitlements does not exceed one week's salary.
- *Victimisation*: The amendment introduces the concept of victimisation, which protects an employee who suffers from retaliation as a result of him engaging in a protected act. A victimised employee may be entitled to compensation capped at three years' wages.

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New Ontario hiring requirements – Effective 1 January 2026, publicly advertised job postings by employers with 25 or more employees must:

- include compensation details to enable pay transparency;
- disclose whether artificial intelligence is used to screen or assess candidates;
- remove all requirements to have "Canadian experience"; and
- indicate if the position is for an existing vacancy.

Additionally, employers will have to inform candidates within 45 days of their last interview whether a hiring decision has been made. Employers will also be required to keep records of all publicly available job posting and related applications, including records of the information provided to candidates, for at least three years after the posting is removed or the information is provided.

Effective 1 July 2025, employers with 25 or more employees must provide new hires with the following details before their first day (or as soon as practicable):

- legal and operating name of the employer;
- contact information, including address and key contacts;
- anticipated work location;
- starting wage, pay period and pay day; and
- general description of initial hours of work.

Two new job protected leaves – Under the Ontario Employment Standards Act, 2000, employees are entitled to a number of unpaid job-protected leaves of absence. Two new job-protected leaves have been introduced for Ontario workers:

- *Long-term illness leave*: Effective 19 June 2025, employees with at least 13 consecutive weeks of service are eligible for an unpaid leave of up to 27 weeks due to a serious medical condition.
- *Leave for parents through adoption or surrogacy*: While the effective date is yet to be established, eligible employees who are adoptive parents and/or parents through surrogacy will be entitled to an unpaid leave of up to 16 weeks when their child first comes into their care. This leave is meant to align with changes to the federal Employment Insurance (**EI**) benefit programme that provides workers who become new parents through adoption or surrogacy with access to EI benefits.

Digital platform workers' rights – Ontario legislation designed to protect digital platform workers is scheduled to come into effect on 1 July 2025. This legislation will require employers of digital platform workers to adhere to a number of requirements including minimum wage, recurring pay periods and maintaining certain employee records.

Termination clauses – Following a recent decision from the Ontario Court of Appeal, in Ontario, termination provisions in employment agreements that purport to allow employers to terminate an employee's employment without cause "at any time" are likely to be found unenforceable.

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Major changes expected at the NLRB – The Trump administration is expected to make major changes at the National Labour Relations Board, the nation's primary overseer and enforcer of labour law. Under the Biden administration, the NLRB had issued a series of rulings that were largely pro-union and, in some cases, changed precedent that had been settled law for decades. Since his inauguration, President Trump has removed Biden-appointed Board member Gwynne Wilcox, currently leaving the NLRB without a quorum to operate. Further, President Trump appointed William Cowen as Acting General Counsel to the NLRB, who already rescinded more than a dozen guidance memos issued by his predecessor. In broad terms, this signals a shift to more pro-employer standards and reversal of many of the pro-union standards the NLRB established under the Biden administration. Separately, budget cuts to the NLRB are expected, which could hamper the NLRB in its duties to investigate unfair labour practice charges and oversee union election proceedings.

Executive order against diversity, equity, inclusion and accessibility (DEIA) programmes – President Trump issued an executive order targeting public and private employers engaged in programmes or practices designed to promote diversity, equity, inclusion and accessibility. Among other things, this order revoked longstanding orders, many of which impact federal agencies and employees of the federal government. The order also revoked EO 11246, which established civil rights and affirmative action requirements for private employers that provide goods and services to the federal government as federal contractors or subcontractors.

Existing federal law prohibits private employers from making employment decisions based on individuals' protected characteristics, such as race or sex. Therefore, properly designed DEI programmes should not violate federal civil rights law. Nonetheless, the Trump administration appears poised to bring enforcement actions against private employers engaging in what it deems to be unlawful DEI practices. The order was temporarily enjoined by a federal judge, but that stay has been lifted by an appellate court. Unless and until the U.S. Supreme Court rules otherwise, the order is enforceable, at least to the extent the Trump administration seeks to enforce existing federal civil rights laws. Accordingly, employers in the US should review their existing DEI programmes to ensure they are aligned with existing federal civil rights laws.

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In conversation with...

Eun-Jee Kim is a renowned expert in the employment and labour field. She provides specialised advice to numerous domestic and international companies, possessing deep expertise in all facets of employment and labour law. In addition, her skills extend beyond traditional legal counsel to encompass corporate law, making her a well-rounded adviser in the field.

One of Eun-Jee's unique strengths is her experience as local General Counsel for a multinational corporation, which equipped her with the practical insight needed to address complex legal issues from a commercial perspective. This enables her to provide practical, effective solutions to the challenges faced by businesses. Her clientele is diverse, spanning multinational corporations seeking Korean employment law advice and domestic companies in need of comprehensive legal counsel.

Eun-Jee was admitted to the Korean Bar in 2004 and the California Bar in 2017. In 2010, she earned an MBA from The Wharton School in the US, further enhancing her ability to understand and navigate the complex issues that corporations face. She also holds a certified labour consultant qualification.

What excited you about joining Dentons?

Dentons offers an unparalleled global platform and I was excited by the opportunity to be part of a truly international team. Having worked both in private practice and as in-house counsel for multinational corporations, I deeply appreciate the importance of providing pragmatic, commercially viable legal solutions that align with global business needs.

This transition has been particularly rewarding in two key ways. First, I have the ability to take a more proactive role in advising on multijurisdictional matters, ensuring that clients receive not only technically sound legal advice, but also guidance that is strategically aligned with their global operations. Second, unlike local firms where most lawyers share a similar perspective shaped by Korean legal practices, Dentons allows for more diverse viewpoints in problem-solving, enabling us to offer solutions that are both legally sound and commercially effective.

My role at Dentons allows me to take a more holistic, business-oriented approach tailored to each client's specific commercial goals. While large firms often foster deep expertise by having attorneys focus strictly on their designated fields, this can sometimes limit cross-disciplinary collaboration. In contrast, Dentons Lee operates on a smaller scale, enabling me to cover a broader range of matters and integrate insights from different legal fields. This not only enhances problem-solving synergy but also allows for a more flexible and client-centred

approach. The collaborative and open culture at Dentons Lee further supports this dynamic, encouraging solutions that align not just with legal requirements but also with the practical realities of running a business in a globalised environment.

You provide regular support to a wide range of clients, both domestic and multinational. Are there any recurrent themes or patterns that stand out?

For multinational companies, navigating Korea's evolving regulatory landscape remains a persistent challenge. Many businesses face difficulties with compliance in areas such as workplace harassment regulations, working hour restrictions and employee classification – particularly distinguishing between independent contractors and employees. Companies often experience frustration in adapting their global policies to fit Korea's labour framework and a key part of my role is helping them practically address these compliance gaps while maintaining operational efficiency.

Another growing issue are cross-border employment disputes and executive terminations. Many global firms assume their headquarters' policies can be directly applied in Korea, only to face legal roadblocks due to statutory severance entitlements and strict termination procedures. This often leads to unexpected risks, requiring careful structuring of employment relationships from the outset.

On the domestic front, I have noticed a rising trend among Korean companies with significant overseas operations. Many of these businesses are seeking greater involvement in managing their foreign subsidiaries from Korea and need guidance on foreign labour/corporate laws to ensure smooth global operations. Similarly, Korean companies expanding abroad are increasingly focused on structuring compliant employment models in new markets. As these needs grow, I see an opportunity to bridge the gap by helping Korean HQs operate more effectively as multinational employers.

On what are you currently focusing?

Since joining Dentons Lee, my focus has been on strengthening our Labour & Employment team's brand and recognition in Korea. With recent changes in our team, I have prioritised clearly communicating our unique value to both multinational and domestic companies.

A key strength of Dentons Lee is our ability to offer practical, business-oriented solutions, particularly for multinational companies operating in Korea. Many of our clients have significant operations in Korea but lack full-scale in-house legal or HR teams. Unlike large domestic law firms, we provide agile, strategic support, especially for APAC or global HQs overseeing Korean operations, even when the issues are purely domestic. This allows us to align Korean employment strategies with broader regional or global goals.

For domestic companies, our expertise in handling both inbound and outbound employment matters is a distinct advantage. As more Korean companies expand overseas, they require trusted legal partners to navigate complex foreign labour and corporate laws.

While competing with Korea's major law firms, which have hundreds or even thousands of lawyers, poses challenges, Dentons Lee offers a compelling alternative, providing tailored, real-world solutions rather than rigid, traditional legal advice. To further build market recognition, I have been focusing on delivering meaningful value through seminars, newsletters and direct client engagement, and I will continue to do so to ensure that Dentons Lee is recognised as a firm that truly understands and supports its clients' business needs.

What developments do you expect to see in the world of work in the near future?

Korea is experiencing unprecedented political uncertainty. Now, Korea is once again at a critical turning point, with the Constitutional Court currently deliberating on the impeachment case of current president, Mr. Yoon. The decision for the impeachment confirmation is expected in the coming months and, if upheld, it will trigger a presidential election. However, the timing and outcome of that election remain uncertain, making it difficult to predict the policy direction of the next administration.

Depending on when the election takes place and who is elected, the new government could take a pro-labour approach – strengthening worker protections, union rights and employment security – or a business-friendly approach, focusing on deregulation and corporate flexibility. There is also a strong push to revitalise the economy, with growing calls to support industries facing global competitiveness challenges.

At the same time, younger generations in Korea are demanding greater rationality and fairness in workplace policies. There is increasing pressure for transparency in promotion systems and workplace flexibility, moving away from traditional seniority-based structures. While the political landscape remains unpredictable, what is clear is that labour relations and workforce expectations are shifting, and companies will need to adapt accordingly.

How did you, as a Wharton MBA graduate, become an employment lawyer?

After earning my MBA, I initially worked in corporate transactions and later as General Counsel for the Korean subsidiaries of multinational corporations. Through these roles, I was deeply involved in strategic business operations and ensuring regulatory compliance in a fast-changing business environment. However, the biggest challenges I faced – and the ones with the most profound impact on business continuity – were not purely financial or transactional. They were labour-related. Negotiating with powerful labour unions, protecting corporate leaders from union actions, managing workforce restructuring and resolving HR disputes became central to my role. These experiences shifted my perspective. I realised that for MNCs operating in Korea, navigating labour laws and employment relations was not just a compliance matter but a critical business challenge that directly affected operations, leadership and long-term sustainability.

This realisation led me to specialise in employment and labour law, where I could combine my business expertise with legal solutions that directly impact corporate operations. My long-term vision is to contribute to shaping a more flexible and forward-looking labour law framework in Korea – one that balances the needs of both businesses and employees in an evolving global economy.

What do you enjoy doing outside work?

One of my greatest passions is exploring wine and international cuisine. Living in Seoul, I enjoy visiting the diverse range of restaurants in Itaewon (the most globalised area in Seoul) and other places where I can experience food from all over the world.

I also practice meditation almost daily. For me, meditation is essential – not just as a personal habit, but also as a way to maintain balance in a profession where being "right" and making precise decisions is critical. As a lawyer, I am constantly analysing, strategising and searching for the best solutions, which can be mentally exhausting. Meditation allows me to step back, observe my emotions and state of mind, and cultivate a sense of respect and awareness – not just for myself, but also for others. In many ways, I believe meditation is not just beneficial but necessary for lawyers and professionals who operate under constant pressure.

News and events

Global Pay Transparency and Equity Guide

Pay transparency and equity are increasingly becoming requirements for organisations around the world. Dentons has launched a Global Pay Transparency and Equity Guide that allows you to compare regulations across 50+ jurisdictions, helping prepare for current and upcoming transparency obligations and providing an overview of pay equity laws.

Backed by insights from our global team of employment and labour law experts, our guide includes an interactive heatmap and a comprehensive overview of the evolving legal landscape, ensuring you stay informed and ahead of regulatory requirements.

Take a look at the full **Global Pay Transparency and Equity Guide** today.

Dentons Paz Horowitz recognised with Safe Company seal

Dentons Paz Horowitz is proud to have received the Safe Company seal, which recognises the firm's commitment to equal opportunities for all people and guarantee of fair treatment without discrimination of any kind.

Dentons Australia IR Insights Webinar Series Hub

Introducing your ultimate destination for staying ahead in Australian employment law. This hub offers a seamless experience with access to upcoming webinars and past sessions available as podcasts.

Why Visit?

- *Expert-led sessions*: Each month, leading Dentons experts in employment law present insightful webinars designed to keep employers across Australia well-informed.
- *Timely and relevant content*: Stay updated on the latest developments and pressing issues in workplace relations through engaging discussions and in-depth analysis.
- *Invaluable knowledge*: Gain the strategies and insights needed to confidently navigate the complexities of employment law.

Visit us **here** for upcoming webinars as well as past webinar recordings.

Dentons Link Legal

Dentons Link Legal recently conducted anti-sexual harassment training session for the Internal Complaints Committee members of one of its clients in India. The session sought to equip the committee members with a clear understanding of their roles and responsibilities in addressing and preventing workplace harassment. Through interactive discussions, we aimed to enhance the committee members' understanding of the law and empower them to create a safe and respectful work environment. We remain committed to supporting our clients with compliance and awareness initiatives.

Dentons Lee seminar on wage regulations

On 27 February, Dentons Lee hosted a seminar on recent wage law developments and compliance strategies for businesses operating in Korea. The session provided insights and practical guidance on managing these issues in the workplace.

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ABOUT DENTONS

Across over 80 countries, Dentons helps you grow, protect, operate and finance your organization by providing uniquely global and deeply local legal solutions. Polycentric, purpose-driven and committed to inclusion, diversity, equity and sustainability, we focus on what matters most to you.

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